

**U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION**

COMMONWEALTH OF	:	
PENNSYLVANIA, ACTING BY	:	Case No. 2:18-CV-989
ATTORNEY GENERAL JOSH SHAPIRO	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
HARBOUR PORTFOLIO CAPITAL,	:	
LLC, ET AL.,	:	
	:	
Defendants.	:	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446(c), Defendants Harbour Portfolio Capital, LLC; Harbour Portfolio GP, LP; Harbour Portfolio IV, LP; Harbour Portfolio VII, LP; Harbour Portfolio VIII, LP; Harbour Portfolio Advisors, LLC; and Charles A. Vose III (collectively “Defendants”) hereby file this Notice of Removal from the Common Pleas Court of Allegheny County, Pennsylvania, and remove the case to this Court on the following grounds:

1. On July 20, 2018, Plaintiff filed a lawsuit against Defendants in the Allegheny County Court of Common Pleas, *Commonwealth of Pennsylvania v. Harbour Portfolio Capital, LLC, et al.*, Case No. GD-18-9176 (the “Lawsuit”). Plaintiff emailed a copy of the complaint to Defendants’ counsel on July 18, 2018.
2. Plaintiff is the Commonwealth of Pennsylvania, as represented by the office of Attorney General Josh Shapiro.

3. Defendant Harbour Portfolio Capital, LLC is a business entity organized under the laws of the state of Texas with its principal place of business at 8214 Westchester Drive, Suite 635, Dallas, Texas.

4. Defendant Harbour Portfolio GP, LP is a business entity organized under the laws of the state of Texas with its principal place of business at 8214 Westchester Drive, Suite 635, Dallas, Texas.

5. Defendant Harbour Portfolio IV, LP is a business entity organized under the laws of the state of Texas with its principal place of business at 8214 Westchester Drive, Suite 635, Dallas, Texas.

6. Defendant Harbour Portfolio VII, LP is a business entity organized under the laws of the state of Texas with its principal place of business at 8214 Westchester Drive, Suite 635, Dallas, Texas.

7. Defendant Harbour Portfolio VIII, LP is a business entity organized under the laws of the state of Texas with its principal place of business at 8214 Westchester Drive, Suite 635, Dallas, Texas.

8. Defendant Harbour Portfolio Advisors, LLC is a business entity organized under the laws of the state of Texas with its principal place of business at 8214 Westchester Drive, Suite 635, Dallas, Texas.

9. Defendant Charles A. Vose III is an individual domiciled in the state of Texas.

10. Plaintiff's complaint demands, among other things, restitution of alleged money damages related to transitions involving "at least 70 homes" representing repayment obligations of "\$2,600,000 and interest," as well as civil statutory penalties. Plaintiff has thus placed the amount-in-controversy beyond \$75,000.00.

11. Removal of this case is timely under 28 U.S.C. § 1446(b)(3) because it is “within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable.”

12. Accordingly, removal is proper to this Court based on diversity jurisdiction pursuant to 30 U.S.C. § 1332.

13. Copies of all pleadings and process served upon Defendants are attached hereto as Exhibit A.

Respectfully submitted

/s/ Sommer L. Sheely

Sommer L. Sheely (Pa. I.D. No. 89422)

David K. Stein (pro hac application forthcoming)

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by regular U.S. mail on July 26, 2018, upon the following:

JOSH SHAPIRO ATTORNEY GENERAL
Susan A. Apel
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Attorneys for Plaintiff

/s/ Sommer L. Sheely

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